

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Helmut SCHMIDHAMMER et al.

Serial No.: 10/519,388

Filed: December 23, 2004

For: Morphinan Derivatives The Quaternary Ammonium Salts Thereof Substituted In Position 14, Method For Production And Use Thereof

Examiner: Charanjit Aulakh
Group Art: 1625
Confirmation No.: 2841

Mail Stop **RCE**
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT

SIR:

PETITION

Applicants hereby petitions for a five-month extension of the time for filing an Appeal Brief based on applicants' February 20, 2009 Notice of Appeal submission. This Preliminary Amendment and accompanying RCE are being submitted in lieu of an Appeal Brief. Please charge our Patent and Trademark Office Deposit Account No. 03-2412 in the amount of \$2,350.00 in payment of the government fee for a five-month extension of time so that the period for response is extended to September 20, 2009. Any additional fees or charges required at this time in connection with the present application may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

RESPONSE

Applicants are submitting this Preliminary Amendment, along with the accompanying RCE, in order to address the Examiner's concerns raised in the February 11, 2009 Advisory Action. Please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims, which begins on page 3 of this paper.

Remarks begin on page 17 of this paper.